

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Caitlin Schwartz	Team: Team # 3	CCRB Case #: 201304379	<input checked="" type="checkbox"/> Force	<input type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input checked="" type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Saturday, 05/18/2013 11:10 PM	Location of Incident: § 87(2)(b) [REDACTED]	Precinct: 120	18 Mo. SOL 11/18/2014	EO SOL 11/18/2014	
Date/Time CV Reported Wed, 05/22/2013 9:24 AM	CV Reported At: CCRB	How CV Reported: Phone	Date/Time Received at CCRB Wed, 05/22/2013 9:24 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Witness(es)	Home Address
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. Officers			120 PCT
2. SGT Robert Fisher	02936	940144	120 PCT
3. POM Ernan Vega	04893	948153	120 PCT
4. POM Stephen Picca	07256	951056	120 PCT

Witness Officer(s)	Shield No	Tax No	Cmd Name
1. POM John Murphy	20986	944718	120 PCT
2. POM Vincent Racioppi	07267	951103	121 PCT
3. POM Joseph Perfetto	03325	949473	121 PCT

Officer(s)	Allegation	Investigator Recommendation
A.POM Ernan Vega	Force: PO Ernan Vega used pepper spray against § 87(2)(b) [REDACTED]	[REDACTED]
B.POM Ernan Vega	Force: PO Ernan Vega used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
C.POM Stephen Picca	Force: PO Stephen Picca used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
D. Officers	Force: Officers used physical force against § 87(2)(b) [REDACTED]	[REDACTED]
E.SGT Robert Fisher	Force: Sgt. Robert Fisher used pepper spray against § 87(2)(b) [REDACTED]	[REDACTED]
F. Officers	Abuse: Officers did not obtain medical treatment for § 87(2)(b) [REDACTED]	[REDACTED]

Case Summary

On May 22, 2013, § 87(2)(b) filed this complaint with the Civilian Complaint Review Board by phone (encl. 1M-O). On May 18, 2013, PO John Murphy of the 120th Precinct arrested § 87(2)(b) inside of § 87(2)(b) in Staten Island. The following allegations resulted:

Allegation A—Force: PO Ernan Vega used pepper spray against § 87(2)(b)

Allegation B—Force: PO Ernan Vega used physical force against § 87(2)(b)

Allegation C—Force: PO Stephen Picca used physical force against § 87(2)(b)

Allegation D—Force: Officers used physical force against § 87(2)(b)

§ 87(2)(g)

Allegation E—Force: Sgt. Robert Fisher used pepper spray against § 87(2)(b)

§ 87(2)(g)

Allegation F—Abuse of Authority: Officers did not obtain medical treatment for

§ 87(2)(b)

§ 87(2)(g)

§ 87(2)(b) arrest as a result of the incident made this case ineligible for the CCRB mediation program.

Results of Investigation

Civilian Statement

Complainant/Victim: § 87(2)(b)

• § 87(2)(b)

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Statements to Medical Personnel

When treated at § 87(2)(b) on § 87(2)(b), following the incident, § 87(2)(b) stated that he got kicked in the right knee during an arrest, causing pain. He stated that his eyes were fine, although he had been pepper sprayed earlier. He also admitted to drinking alcohol that day.

CCRB Testimony

On June 5, 2013, § 87(2)(b) was interviewed at the CCRB (encl. 2A-H).

On May 18, 2013, at approximately 10 p.m., § 87(2)(b) and his brother, § 87(2)(b) arrived at § 87(2)(b) on Staten Island to attend their friend § 87(2)(b) birthday party. § 87(2)(b) lived on the first floor above the ground level. § 87(2)(b) explained, along with showing a photograph of the building, that there is a corridor on that level that has windows looking out to § 87(2)(b) § 87(2)(b) cousins, § 87(2)(b) and § 87(2)(b) lived in an apartment on the same floor as § 87(2)(b) § 87(2)(b) said that the § 87(2)(b) apartment was immediately to the left of the elevator, and § 87(2)(b) apartment was about three doors to the right of the elevator. The elevators were separated from the rest of the corridor by doors. While § 87(2)(b) was at § 87(2)(b) party, he would periodically leave § 87(2)(b) apartment and walk in the corridor, which has windows to the street. § 87(2)(b) would go into the hallway to hang out with others who were in there, looking at the view. While at the party, § 87(2)(b) estimated that he had about four or five cups of Moscato Rose wine over a period of 30 to 45 minutes.

At the time of the incident, § 87(2)(b) wore a light blue shirt, black pants, red and black Nike boots, and a blue and white Yankees baseball cap. He was wearing his Bluetooth clip on. He was not carrying anything. He had his wallet, keys and some cash in his pockets.

§ 87(2)(b) told § 87(2)(b) that she was going to attend a party in the Bronx, and by 10:30 p.m., § 87(2)(b) had decided to go with her to the Bronx. § 87(2)(b) went back into § 87(2)(b) apartment to tell him what they were doing. He then went into the hallway and spoke with § 87(2)(b) in front of the elevator. § 87(2)(b) brother § 87(2)(b) (determined by the investigation to go by the alias of § 87(2)(b) but will be referred to as § 87(2)(b) throughout this report), then exited § 87(2)(b) apartment. § 87(2)(b) and § 87(2)(b) were also in the corridor. As § 87(2)(b) and § 87(2)(b) spoke, § 87(2)(b) noticed an officer standing behind § 87(2)(b) described this officer to be a white or Hispanic male, 5'6-7," 175 pounds with tan skin, and black low cut hair, and he was identified by the investigation to be Sgt. Robert Fisher of 120th Precinct. § 87(2)(b) addressed Sgt. Fisher by saying, "Hey officer, how you doing?" § 87(2)(b) then turned around, addressed Sgt. Fisher in the same way, and asked how they could help him. Sgt. Fisher told them that he was doing a routine check, and requested their identifications. § 87(2)(b) told Sgt. Fisher that it was no problem, and provided his identification. Sgt. Fisher noted § 87(2)(b) information in his memo book. An additional officer, who § 87(2)(b) described as a male, a little taller than 5'6-7" and heavier than 175 pounds with dark brown hair, and was identified by the investigation as PO Ernan Vega, of the 120th Precinct, ascended the stairs and approached from § 87(2)(b) right side. When Sgt. Fisher finished noting § 87(2)(b) pedigree, he walked away, still holding § 87(2)(b) identification. § 87(2)(b) told Sgt. Fisher to wait and finish up with him because he was going to leave. Sgt. Fisher told § 87(2)(b) to hold on and wait a minute. PO Vega came off the staircase and told § 87(2)(b) "You heard what he said; get against the wall." § 87(2)(b) told PO Vega that he was not talking to him, but having a conversation with Sgt. Fisher. § 87(2)(b) had observed in his periphery two additional officers come up the stairs and enter the corridor. § 87(2)(b) repeated his request for Sgt. Fisher to finish up because he had to leave.

PO Vega, who was positioned to § 87(2)(b) right, then jumped, and as he came down struck § 87(2)(b) right leg. § 87(2)(b) observed PO Vega jump up, then come down. He was not sure if PO Vega kneed him or kicked him with force, or incidentally struck him with his leg. When § 87(2)(b) leg was hit, it bent in underneath him, and immediately felt broken. He stumbled around and screamed in pain. He asked the officers what they had done to him, and told them they broke his leg. The officers did not respond. PO Vega then went

behind § 87(2)(b) grabbed his back, and repeatedly pushed him down toward the floor. PO Vega also repeatedly issued § 87(2)(b) verbal instructions to get down on the floor. § 87(2)(b) could not quantify how many times PO Vega pushed him. More officers then came in from the staircase, and pushed § 87(2)(b) as well. The officers pushed § 87(2)(b) down to the floor, and he went down on his left knee. He tried to position his right leg at a comfortable angle so he could be lowered down to the floor as the officers continued to push him down. § 87(2)(b) explained that since he was off balance, he also used his arms to try to stabilize his body. He believed that he tried to hold onto the wall, and maybe one of the officers. As the officers pushed him, § 87(2)(b) attempted to remain standing because he did not want to land on his injured leg. After about a minute, he landed face forward on the marble tiled floor.

While § 87(2)(b) was on the floor, PO Vega punched his back and arm, and pulled his arm behind him to handcuff him. § 87(2)(b) thought that other officers might have punched him as well, but PO Vega was primarily punching him. He turned his head, and he observed § 87(2)(b) had moved toward § 87(2)(b) apartment. People were in the hallway holding up their cell phones, attempting to record the incident, but were subsequently moved out by officers. § 87(2)(b) could not really see which officers were moving people out of the way, but he believed that they were the officers who had arrived after Sgt. Fisher and PO Vega. § 87(2)(b) estimated that about eight to ten additional officers showed up, but that someone later told him that there had been 15 officers present. All the officers were in uniform. While § 87(2)(b) was handcuffed on the floor, an officer bent down, and he saw that this officer held a black can of pepper spray that was about two or three inches tall. § 87(2)(b) then closed his eyes, and the officer pepper sprayed him once in each eye. He opened his eyes, and they began to water. He kept his eyes closed thereafter. § 87(2)(b) could not see much of the officer besides his hand, but observed that he was a white male.

Officers then lifted § 87(2)(b) up from the floor, and escorted him toward the elevator. § 87(2)(b) stumbled on his leg, so the officers pushed him forward as they walked. After they had taken the elevator down, and arrived at the building's entrance, § 87(2)(b) attempted to walk but struggled, and the officers rushed him out of the building. They repeatedly pushed him, so he had to walk as fast as he possibly could on his leg. He repeatedly fell but the officers lifted him back up. § 87(2)(b) explained that he could not see which officers brought him outside because his eyes were still affected by the pepper spray. The officers did not seem to believe him that his leg was injured, but they finally called him an ambulance. § 87(2)(b) screamed at the officers to get him a "fucking" ambulance because they "fucked up" his leg. When EMS came, they cleaned § 87(2)(b) eyes, and cut his jeans open to look at his leg.

When § 87(2)(b) arrived at the hospital, determined by the investigation to be the § 87(2)(b), the nurse asked him why he was there. He told her that he thought his leg was broken. She asked if he had been drinking, and he admitted to having had a couple drinks. He was released from the hospital without any medication. The nurse reported that § 87(2)(b) was seen for intoxication, rather than a knee injury. During his CCRB interview, § 87(2)(b) denied that any test was done to determine whether he was intoxicated.

When § 87(2)(b) was taken to the 120th Precinct stationhouse, where he arrived at a time determined by the investigation to be 2:40 a.m. on May 19, 2013, he begged to be returned to the hospital. He was told that he could not go to the hospital because he would miss his court date the following day. The next day, he did not go to court and cried to be returned to the hospital. He was told that if he went to the hospital, he would have to stay three or four additional days before going to court.

During his CCRB interview, § 87(2)(b) reported that although he did not see the officers beat § 87(2)(b) § 87(2)(b) told him following the incident that they had done so. § 87(2)(b) explained that § 87(2)(b) had a warrant out for him, so he went under the name § 87(2)(b) § 87(2)(b) was also arrested. He was in the stationhouse with § 87(2)(b) but they were not codefendants. § 87(2)(b) was also taken to the hospital. At the time of § 87(2)(b) CCRB interview, § 87(2)(b) was incarcerated on § 87(2)(b).

§ 87(2)(b) stated that his MCL tore when PO Vega jumped on him. When he returned to § 87(2)(b) on § 87(2)(b) due to the persistent and worsening pain to his knee, he was told that he had possible ligament damage and was instructed to check in with his personal physician. At the time of his CCRB interview, he still had to return to his personal doctor to get his test results. He explained that he had not been able to work; § 87(2)(b) his hands were still numb from the handcuffs.

§ 87(2)(b) provided contact information for § 87(2)(b) § 87(2)(b) and § 87(2)(b) but refused to provide contact information for § 87(2)(b) He denied the investigation permission to contact § 87(2)(b)

Attempts to Contact Civilians

On June 17, 2013, § 87(2)(b) was contacted by telephone, and an appointment was made for her and § 87(2)(b) to be interviewed at the CCRB on June 28, 2013. § 87(2)(b) and § 87(2)(b) failed to appear for this previously scheduled appointment without calling beforehand to cancel or reschedule. On July 9, 2013, § 87(2)(b) and § 87(2)(b) were called and a voicemail was left requesting a call back to reschedule their CCRB interviews. Also on July 9, 2013, § 87(2)(b) and § 87(2)(b) were mailed missed appointment letters, neither of which was returned to the CCRB marked "return to sender." On August 19, 2013, § 87(2)(b) left the investigator a voicemail regarding her CCRB interview. During the period starting September 18, 2013, and concluding January 17, 2014, § 87(2)(b) and § 87(2)(b) were called three additional times, and three voicemails were left requesting a call back to reschedule their CCRB interviews. On October 2, 2013, § 87(2)(b) and § 87(2)(b) were mailed please call letters, neither of which was returned to the CCRB marked "return to sender." To date, neither § 87(2)(b) nor § 87(2)(b) has contacted the investigator to reschedule her CCRB interview.

On June 18, 2013, § 87(2)(b) was contacted by phone, and requested to call the investigator back at a more convenient time. On October 2, 2013, § 87(2)(b) was contacted by telephone and an appointment was made for him to be interviewed at the CCRB on October 7, 2013. Also on October 2, 2013, pertinent information regarding his CCRB interview was e-mailed to § 87(2)(b) per his request at the e-mail address he provided. On October 7, 2013, § 87(2)(b) failed to appear for the aforementioned appointment without calling beforehand to cancel or reschedule. On October 8, 2013, § 87(2)(b) was contacted by telephone and a voicemail was left requesting a call back to reschedule his missed appointment for a CCRB interview. Also on October 8, 2013, § 87(2)(b) was e-mailed and mailed a missed appointment letter, which was not returned to the CCRB marked "return to sender." On October 9, 2013, § 87(2)(b) left the investigator a voicemail stating that he could not understand the voicemail he was left. On January 17, 2014, and January 31, 2014, § 87(2)(b) was called two additional times, and one voicemail was left, (the other time the phone rang continuously), requesting a call back to reschedule his appointment to be interviewed at the CCRB.

On September 18, 2013, and January 17, 2014, § 87(2)(b) was mailed please call letters, neither of which were returned to the CCRB marked "return to sender." An October 7, 2013

Lexis Nexis search did not yield any phone number for § 87(2)(b) but confirmed his address as per his arrest report.

NYPD Statements:

Subject Officer: SGT. ROBERT FISHER

- § 87(2)(b)
- *Sgt. Fisher's tour began at 7:20 p.m. on May 18, 2013, and concluded at 4:17 a.m. on May 19, 2013. His assignment was Impact Response Team sergeant. He worked with PO Murphy. He was in uniform, and assigned to a marked RMP, the number of which he believed was 4151.*

Memo Book

Sgt. Fisher noted in his memo book that at 11:17 p.m., he conducted a vertical patrol at § 87(2)(b) in regards to disorderly location/numerous males drinking/physical altercation 2 males. At 11:20 p.m., he arrived at the first floor of the location. Two males were stopped by the elevator in the vestibule, and one was stopped by the doorway in the vestibule. The males were non-compliant, so he requested one additional unit. Numerous units arrived shortly thereafter. At 11:24 p.m., EMS was ordered to the location for a male's complaints regarding his right knee. At 11:33 p.m., there were three under arrest. § 87(2)(b) was removed to § 87(2)(b) and was charged with OGA, resisting, menacing, harassment (two counts), discon fighting/violent behavior, and open container. § 87(2)(b) was removed to the 120th Precinct, but later treated at § 87(2)(b) and was charged with § 87(2)(b). Sgt. Fisher removed § 87(2)(b) to the 120th Precinct in RMP 4151, (summonsed for open container) (encl. 8A-D).

CCRB Testimony

On July 14, 2014, Sgt. Fisher was interviewed at the CCRB (encl. 8E-H).

As PO Murphy drove their RMP, Sgt. Fisher observed an ongoing physical altercation inside of § 87(2)(b) on the first floor, near the elevator. Sgt. Fisher decided to investigate further, and conduct a vertical patrol at the location. When he got to that floor, he and PO Murphy stopped the two males that were fighting, who he confirmed were § 87(2)(b) and § 87(2)(b) and an additional male, § 87(2)(b).

Sgt. Fisher explained that the ground floor is just a lobby with the elevator, so the second floor above ground is referred to as the first floor because it is the first one with apartments. § 87(2)(b) and § 87(2)(b) were holding onto each other, and appeared to be wrestling and fighting. Sgt. Fisher also observed other civilians in the hallway, on the other side of the door, separating the elevators from the rest of the corridor. Sgt. Fisher could not recall how many people made up this group. Sgt. Fisher could not recall whether he observed any open containers at that point because he was focused on the fighting.

Sgt. Fisher went to investigate further because since there was fighting going on, someone could have been committing assault or disorderly conduct; or someone could have been injured. He requested § 87(2)(b) and § 87(2)(b) identifications. § 87(2)(b) provided his identification, but § 87(2)(b) did not have his. When the officers approached § 87(2)(b) and § 87(2)(b) they were no longer fighting. § 87(2)(b) and § 87(2)(b) demeanors were "normal," upon the officers' approach. Sgt. Fisher did not recall whether he or PO Murphy asked the men for their identifications.

§ 87(2)(b) was with § 87(2)(b) and § 87(2)(b) but was not involved in their altercation. When § 87(2)(b) was stopped, he was drinking from an open container, which Sgt. Fisher said was a cup with an alcoholic drink in it, the specific type of which he could not recall. § 87(2)(b) was by the elevators, in front of the door to an apartment. Sgt. Fisher also asked § 87(2)(b) for his identification. Sgt. Fisher wanted § 87(2)(b) to come to the area by the elevator, so that all three men would be in the same place and he would not feel surrounded, but § 87(2)(b) refused upon his request. Sgt. Fisher described all three men as “a threat” because they had been fighting and drinking. Sgt. Fisher believed that they had been drinking because PO Murphy informed him that they had all been drinking from open containers. Sgt. Fisher believed that one of the open containers was a Corona bottle, but he was not sure. Besides for the information from PO Murphy, and the fact that § 87(2)(b) and § 87(2)(b) were fighting, Sgt. Fisher had no additional indication that they were intoxicated.

While Sgt. Fisher spoke to § 87(2)(b) PO Murphy addressed § 87(2)(b) and § 87(2)(b) and tried to keep them under control. Sgt. Fisher said that they seemed to be under control, but he could not completely see what was going on, and since the officers were outnumbered, he called for an additional unit. Sgt. Fisher estimated that he was about ten feet away from PO Murphy, § 87(2)(b) and § 87(2)(b).

After he went over the radio to request an additional unit, several units responded. When the officers responded, Sgt. Fisher instructed them to handcuff § 87(2)(b) and § 87(2)(b) then pushed PO Vega, and Sgt. Fisher believed that he pushed another officer as well. He then assumed a fighting stance. § 87(2)(b) also refused to be handcuffed, and attempted to flee. When he did so, Sgt. Fisher grabbed his midsection and pushed him back into the area near the elevators, so he would not get away. No other officer assisted Sgt. Fisher in preventing § 87(2)(b) from fleeing. Other officers then tried to handcuff § 87(2)(b) who resisted by tightening and moving his arms. Sgt. Fisher denied observing § 87(2)(b) violently swing his arms at officers. Sgt. Fisher later clarified that he observed § 87(2)(b) resisting while engaged in a struggle with officers, including PO Vega and PO Murphy, but later heard from other officers that he pushed them and assumed a fighting stance. § 87(2)(b) was only visible to Sgt. Fisher in his periphery because he was still focused on § 87(2)(b) who was also going to be arrested for open container.

There were other civilians trying to come through the doorway, and § 87(2)(b) was blocking it and keeping it open, prompting Sgt. Fisher to have to repeat his instructions to the civilians to stay back. These civilians were trying to access the area in which § 87(2)(b) and § 87(2)(b) were being arrested. Although backup had arrived, the officers were occupied dealing with § 87(2)(b) and § 87(2)(b) and Sgt. Fisher did not believe that there were enough officers present to deal with an additional crowd control situation.

Sgt. Fisher could not recall the specific actions that particular officers took against § 87(2)(b). § 87(2)(b) had to go to the hospital due to a knee injury. Sgt. Fisher was aware that § 87(2)(b) was taken to § 87(2)(b) due to a knee injury, but neither § 87(2)(b) nor anyone else involved told Sgt. Fisher how this injury was sustained. Sgt. Fisher did not specifically remember making any physical contact with § 87(2)(b) but acknowledged that he might have made incidental physical contact with him. Sgt. Fisher did not obtain any additional information about how § 87(2)(b) injury was sustained. Sgt. Fisher reiterated that he was primarily focused on § 87(2)(b) and had also assisted in getting § 87(2)(b) under control.

Sgt. Fisher denied that he jumped on § 87(2)(b) leg, and did not recall any other officer doing so. Sgt. Fisher additionally denied kicking or striking § 87(2)(b) in the leg, and did not recall any officer doing anything like that. Sgt. Fisher did not recall any point during the incident at which § 87(2)(b) exclaimed in pain. Sgt. Fisher denied punching or striking

§ 87(2)(b) in the back, arm, or anywhere else; and did not witness any other officer punch or strike him. Sgt. Fisher denied pepper spraying § 87(2)(b) and did not believe that any other officer did so. He confirmed that there was pepper spray in the air because he had pepper sprayed § 87(2)(b). Sgt. Fisher pepper sprayed § 87(2)(b) because he was flailing and tightening his arms. The pepper spray was effective in getting § 87(2)(b) to stop resisting so much, and made it easier to cuff him. Sgt. Fisher could not remember why § 87(2)(b) was later taken to the hospital.

Sgt. Fisher released § 87(2)(b) by his discretion with a summons for open container.

Subject Officer: PO ERNAN VEGA

- § 87(2)(b)
- *PO Vega's tour began at 7:30 p.m. on May 17, 2013, and concluded at 4:05 a.m. on May 18, 2013. He was assigned to foot post 1, which was a solo post. PO Racioppi, PO Perfetto and PO Picca worked in the same vicinity. He was in uniform.*

Memo Book

PO Vega noted in his memo book that at 11:19 p.m., there was a call for an additional unit at § 87(2)(b) where he arrived at 11:25 p.m. There was a large group acting disorderly and violently fighting with police officers. At 11:26 p.m., an officer called for assistance because there was a large group in front of the building. At 11:49 p.m., there were two under by PO Murphy (encl. 5A-E).

CCRB Testimony

On May 22, 2014, PO Vega was interviewed at the CCRB (encl. 5F-H). PO Vega's statement § 87(2)(g) is summarized below.

PO Vega believed that he was walking with PO Perfetto and PO Racioppi at the time that the 85 was called, so responded with them. PO Vega and the other officers with him did not know which floor Sgt. Fisher was on, so ran into the building and began to look for him. Upon their arrival, PO Vega observed Sgt. Fisher trying to restrain a large group. The individuals comprising the group seemed to be highly intoxicated. Sgt. Fisher pointed at two men, and said to arrest them. PO Vega approached the two designated men. PO Vega informed § 87(2)(b) that he was going to be placed under arrest. As he did so, § 87(2)(b) pushed him into the vestibule area. The push moved PO Vega back two or three feet. § 87(2)(b) then lifted and clenched both of his fists and put them in front of his body in a "fighting stance" as though he was about to engage in a fist fight with the officers. § 87(2)(b) said something to the effect of "bring it on," or, "I'm going to get you guys."

The other officers were also trying to restrain § 87(2)(b) but PO Vega did not know their specific actions. PO Vega then used his pepper spray to prevent § 87(2)(b) from injuring him and the other officers, and effect his lawful arrest. PO Vega tried to restrain § 87(2)(b) by putting his hands behind his back. § 87(2)(b) fell to the ground. PO Vega then tried to pry his hands from his body. § 87(2)(b) was moving his legs and body, and preventing the officers from getting to his hands. PO Vega believed that PO Perfetto and PO Picca helped him, but he did not see because he was engaged with trying to effect § 87(2)(b) arrest.

The officers fell to the ground with § 87(2)(b). PO Vega explained that § 87(2)(b) is a large man, and he continued to struggle, so the force and momentum brought all of them down to floor. On the floor, PO Vega continued to try to get § 87(2)(b) arms behind his back so he could be handcuffed. § 87(2)(b) held his arm in a position from which it was

very hard to remove. PO Vega used all his strength to pull on one of § 87(2)(b) arms. § 87(2)(b) did not punch PO Vega, and PO Vega did not see him punch any other officer. PO Vega was not sure whether he pepper sprayed § 87(2)(b) while he was on the ground. He did not know whether he pepper sprayed him again after the initial time. He did not know whether any other officer pepper sprayed him.

When asked whether any officer jumped on top of § 87(2)(b) in order to restrain him, PO Vega said that he knew that officers tried to grab his arms, but did not see any officer jump on top of him. PO Vega denied kicking § 87(2)(b) in the leg or using any force against his leg. PO Vega did not make contact with his leg; he just tried to retrieve his left arm. PO Vega did not see any officer kick § 87(2)(b) in the leg. Once § 87(2)(b) was handcuffed, he complained that his knee hurt. The officers had to call an ambulance to the location because § 87(2)(b) complained of an injury to his knee. PO Vega did not know whether it was his right or left knee that was injured. PO Vega did not punch § 87(2)(b) in the face, stomach, or anywhere else on his body. PO Vega thought he might have used his forearm to pry § 87(2)(b) arms out from under him. PO Vega did not see any officer punch or strike § 87(2)(b).

PO Vega did not observe any injury to § 87(2)(b). When they waited for EMS, the officers kept § 87(2)(b) on the ground. He sat up on the ground. Right after he was cuffed, § 87(2)(b) began complaining that his knee hurt. PO Vega guessed that § 87(2)(b) twisted his knee during the struggle when they fell to the ground. § 87(2)(b) did not make any exclamation about hurting his knee when they went to the ground. PO Vega did not go to the hospital with § 87(2)(b).

Subject Officer: PO STEPHEN PICCA

- § 87(2)(b)
- PO Picca's tour began at 7:30 p.m. on May 17, 2013, and concluded at 4:05 a.m. on May 18, 2013. His assignment was post 14, which is a solo post. He was in uniform and assigned to marked RMP 3379.

Memo Book

PO Picca noted in his memo book that at 11:19 p.m., he responded to an 85 at § 87(2)(b). At 11:21 p.m., there were three males highly resisting, acting violently and making threats. At 11:49 p.m., PO Picca resumed patrol after PO Murphy made three arrests. On his fly page, PO Picca noted § 87(2)(b) name and date of birth, and added that § 87(2)(b) stated, "I'm going to sue you motherfuckers," and another perpetrator stated, "It's on; let's fight," and, "I'm not giving you my arm." PO Picca also noted that a perpetrator pushed PO Racioppi (encl. 6A-D).

CCRB Testimony

On May 30, 2014, PO Picca was interviewed at the CCRB (encl. 6E-F). PO Picca's statement § 87(2)(g) is summarized below.

Upon arriving on the scene, PO Picca immediately detected pepper spray in the air, but did not know who had deployed such. He saw PO Racioppi trying to handcuff § 87(2)(b) and went over to assist. § 87(2)(b) was on the floor on his side, and PO Racioppi was on the floor as well. § 87(2)(b) refused to provide his arms to the officers to be cuffed. PO Picca kicked § 87(2)(b) in the shoulder, but he did not recall on which arm. Almost immediately after PO Picca kicked him, § 87(2)(b) allowed the officers to cuff him. PO

Picca did not recall any injury to § 87(2)(b) or any of the other civilians. He did not jump on § 87(2)(b) leg or see any other officer jump on his leg or strike it in any way. PO Picca did not see any officer pepper spray § 87(2)(b)

Witness Officer: PO JOHN MURPHY

- § 87(2)(b)
- *PO Murphy's tour began at 7:30 p.m. on May 18, 2013, and concluded at 4:05 a.m. on May 19, 2013. He was Sgt. Fisher's operator in a marked vehicle. He wore a uniform.*

Memo Book

PO Murphy noted in his memo book that at 11:17 p.m., at § 87(2)(b) he observed two males who were disorderly, drinking and involved in a physical altercation. At 11:20 p.m., they conducted a vertical patrol at the location, and stopped two males by the elevator. The males were noncompliant. They requested that an additional unit respond to the scene, and one responded at 11:24 p.m. At 11:25 p.m., EMS was called to the location because one of the males complained of an injury to his right knee. At 11:33 p.m., there were three males under arrest. § 87(2)(b) was removed to § 87(2)(b). § 87(2)(b) and § 87(2)(b) were arrested (encl. 3A-C).

Arrest Reports § 87(2)(b) and § 87(2)(b)

PO Murphy reported that at the time and place of occurrence, § 87(2)(b) was observed with an open container of alcohol, (a 12 ounce bottle of Corona). § 87(2)(b) was fighting with another individual, and became very irate with officers when trying to issue a summons. He became very violent and resisted arrest by flailing his arms. He also pushed two officers and menaced another (encl. X). PO Murphy also reported that § 87(2)(b) (arrested under the alias § 87(2)(b)) was observed at the time and place of occurrence with an open container of alcohol, (also a 12 ounce bottle of Corona). § 87(2)(b) was fighting with another individual and tried to walk away from officers when they attempted to issue him a summons. He then resisted arrest by flailing his arms (encl. 13C-H).

Complaint Report § 87(2)(b)

In his complaint against § 87(2)(b) and § 87(2)(b) PO Murphy reported that he and Sgt. Fisher responded to a disorderly location at § 87(2)(b) at which point they observed numerous males drinking, and § 87(2)(b) and § 87(2)(b) (under alias § 87(2)(b)) in a physical altercation. Upon arriving on the first floor, PO Murphy promptly stopped § 87(2)(b) and § 87(2)(b) for fighting. Sgt. Fisher stopped a third male who was drinking from a solo cup containing mixed alcohol in the doorway. Upon receiving § 87(2)(b) and § 87(2)(b) identifications, § 87(2)(b) proceeded to walk off from the stop, causing PO Murphy and Sgt. Fisher to forcibly bring him back to the location of the stop. After doing so, PO Murphy stayed with the male that Sgt. Fisher had stopped, § 87(2)(b) while Sgt. Fisher helped other officers to detain the two males PO Murphy had previously stopped for fighting/drinking from an open container of alcohol (12 ounce bottle of Corona). Sgt. Fisher ordered PO Murphy to handcuff § 87(2)(b) while other officers detained/handcuffed § 87(2)(b) and § 87(2)(b) who both violently resisted arrest. PO Murphy was informed that § 87(2)(b) refused to put his hands behind his back, and tightened his arms in refusal to be handcuffed. PO Perfetto, PO Racioppi, PO Vega and PO Picca attempted to handcuff § 87(2)(b). PO Perfetto informed PO Murphy that § 87(2)(b) clenched his fists and put his hands up in order to assume a fighting stance when PO Perfetto ordered him to put his hands behind his back. § 87(2)(b)

also used two hands to push off of PO Vega, causing him to lose his balance. PO Racioppi tried to move § 87(2)(b) back, and § 87(2)(b) pushed off of him, clenched his arms together, and moved against the wall. PO Vega, PO Perfetto, PO Picca and PO Racioppi all had to force § 87(2)(b) to the ground to restrain and handcuff him. § 87(2)(b) continued to stiffen his arms and body in an attempt to prevent the officers from handcuffing him (encl. 9A-B).

CCRB Testimony

On February 14, 2014, PO Murphy was interviewed at the CCRB (encl. 3D-F). His statement § 87(2)(g) is summarized below.

On May 18, 2013, at approximately 11:17 p.m., PO Murphy observed a disorderly group on the first floor of § 87(2)(b). PO Murphy explained that the inside of the vestibule can be seen from the outside through windows. When asked how many people comprised the group, PO Murphy responded that initially it was just § 87(2)(b) and § 87(2)(b) who were fighting and pushing each other. PO Murphy and Sgt. Fisher entered the building and ascended to the first floor. When PO Murphy and Sgt. Fisher approached them, § 87(2)(b) and § 87(2)(b) were no longer fighting, but were drinking. They had one open container, a 12 ounce bottle of Corona. PO Murphy explained to them that he had approached them because he had seen them fighting and they were both drinking, and asked for their identifications. During his CCRB interview, PO Murphy confirmed that he had observed both § 87(2)(b) and § 87(2)(b) drinking from the bottle of Corona and passing it to each other. § 87(2)(b) provided his identification, but § 87(2)(b) refused to provide his identification, claiming that he did not have any. PO Murphy asked him for his name, and § 87(2)(b) who was facing him, walked past him. PO Murphy asked him to come back, but he refused, so PO Murphy grabbed his arm to prevent him from getting away. He was walking, not running, and had gotten about four feet away from PO Murphy before PO Murphy grabbed his arm, which got § 87(2)(b) to stay nearby.

PO Murphy noticed that Sgt. Fisher had another individual—§ 87(2)(b)—stopped. PO Murphy did not witness the events precipitating this stop. Sgt. Fisher went over the radio to call for an additional unit to come help them out. When the additional unit arrived on scene, § 87(2)(b) became irate. He shouted, but PO Murphy did not recall what he said. Sgt. Fisher decided that § 87(2)(b) and § 87(2)(b) were to be handcuffed and brought to the stationhouse.

PO Murphy was in front of § 87(2)(b), and a group of three or four people exited that apartment and came into the hallway. There were males and females in the group. They asked what was going on while screaming and yelling at the officers. PO Murphy was then with § 87(2)(b) who was handcuffed. The plan was to get the individuals to the stationhouse and deal with it there. § 87(2)(b) did not resist being cuffed. PO Murphy could not specify what the other officers were doing because his back was to them and he focused on § 87(2)(b). He faced the crowd that was coming out of the apartment, so he could prevent them from coming into the vestibule. He saw that other officers were trying to cuff § 87(2)(b). PO Murphy instructed the members of the crowd to stay back, and they complied. PO Murphy explained that there was so much screaming and yelling going on that he could not hear who was doing what.

Sgt. Fisher was about three feet away from PO Murphy, putting § 87(2)(b) in cuffs. PO Murphy believed that someone was probably helping Sgt. Fisher do so, although he could not remember who.

PO Murphy did not make any physical contact with § 87(2)(b). He did not see § 87(2)(b) be taken to the floor. While on the floor, § 87(2)(b) screamed that he

believed his knee was shattered. The officers requested medical attention for him, and an ambulance came to the scene.

He did not recall any officer jumping on § 87(2)(b) or punching him. No one informed PO Murphy of how § 87(2)(b) injured his knee. PO Murphy did not pepper spray § 87(2)(b). PO Murphy did not recall any other officer pepper spraying § 87(2)(b) but did not believe that anyone used pepper spray because no one was coughing.

PO Murphy said that § 87(2)(b) was walking fine before he went to the hospital, but he did not recall whether he walked to the ambulance. PO Murphy did not go with § 87(2)(b) to the hospital, and did not recall who did.

Witness Officer: PO VINCENT RACIOPPI

- § 87(2)(b)
- *PO Racioppi's tour began at 7:30 p.m. on May 18, 2013, and concluded at 4:05 a.m. on May 19, 2013. His assignment was post 2, which was a solo foot post. He was in uniform.*

Witness Officer: PO JOSEPH PERFETTO

- § 87(2)(b)
- *PO Perfetto's tour began at 7:30 p.m. on May 18, 2013, and concluded at 4:05 a.m. on May 19, 2013. He was assigned to the 120th Precinct Impact Response Team. He was in uniform and not assigned a motor vehicle or partner.*

Memo Books

PO Racioppi and PO Perfetto noted in their memo books that at 11:19 p.m., they responded to an 85 at § 87(2)(b). PO Racioppi noted that at 11:21 p.m., there were three males highly resisting, acting violently and making threats. PO Perfetto noted that at 11:25 p.m., there was a large group fighting with officers. PO Perfetto noted that at 11:49 p.m., they resumed patrol after PO Murphy made three arrests. PO Racioppi noted that at 11:50 p.m., he transported § 87(2)(b) to § 87(2)(b), where they arrived at 11:59 p.m. At 2:40 a.m., he transported § 87(2)(b) to the 120th Precinct stationhouse, where he arrived at 2:40 a.m. (encl. 4A-C, 7A-D).

CCRB Testimonies

On April 29, 2014, and July 3, 2014, PO Racioppi and PO Perfetto were respectively interviewed at the CCRB (encl. 4D-E, 7E-G). Their statements § 87(2)(g) are summarized below.

On May 18, 2013, at approximately 11:19 p.m., PO Racioppi and PO Perfetto all responded to the radio run for more units at § 87(2)(b). Upon their arrival on the scene, Sgt. Fisher instructed them to cuff § 87(2)(b) who was pushing officers. § 87(2)(b) refused to provide his arms to be cuffed. PO Perfetto grabbed § 87(2)(b) arm and tried to pull him down to the floor. PO Racioppi did not see how § 87(2)(b) was taken to the floor, but saw § 87(2)(b) resist the officers' attempts to cuff him while he was on the floor. Once § 87(2)(b) was on the floor, PO Racioppi pulled his arm back to cuff it. Neither PO Racioppi nor PO Perfetto witnessed any officer jump on § 87(2)(b) leg, or make any contact with it. They did not see any officer punch § 87(2)(b). Both officers smelled pepper spray in the air, but did not know who deployed such or see § 87(2)(b) be pepper sprayed.

Medical Records

§ 87(2)(b) was first seen on § 87(2)(b) while in police custody. Upon examination, he was alert and in no distress. The physician reported that § 87(2)(b) was morbidly obese at the time of his treatment. He received an x-ray of his knee, and was diagnosed with a large effusion and probable ligamental injury. He was determined to be intoxicated by alcohol.

§ 87(2)(b) returned to § 87(2)(b) on § 87(2)(b), following his release from police custody, because his knee was more painful and swollen. He was found to have tenderness, tightness and bruising over his entire knee, and swelling to thigh and knee, which he was unable to bend. He was diagnosed with a tendon injury and knee effusion, and given pain relieving medication and instructions regarding applying ice to the region.

§ 87(2)(b) On § 87(2)(b), § 87(2)(b) was seen by § 87(2)(b) at the aforementioned medical center. An MRI was taken of his knee, and the results indicated that there were complete ruptures of the ACL, PCL and MCL, and a high-grade partial tear of the LCL. § 87(2)(b) had also suffered bone contusions and a large knee joint effusion.

NYPD Documents

SPRINT § 87(2)(b)

The aforementioned SPRINT report, pertinent to the incident, indicates that at 11:18 p.m., the sergeant arrived on scene, and at 11:19 p.m., requested additional additional units. During the subsequent ten minutes, the lieutenant, sectors A and F arrived on the scene. At 11:25 p.m., the Impact Response Team lieutenant called for EMS to respond to the scene for an injured prisoner. EMS arrived at 11:28 p.m. At 11:33 p.m., there were three under arrest at the location. At 11:52 p.m., Impact Response Team post 2 transported one prisoner to § 87(2)(b) (encl. 11A-D).

120th Precinct Command Log

The command log indicates that at on May 18, 2013, 11:47 p.m., § 87(2)(b) was released with summons number § 87(2)(b). It further indicates that § 87(2)(b) was maced and intoxicated, and an EMS was ordered in regards. On May 19, 2013, at 12:25 a.m., he was transported to § 87(2)(b) and at 3:10 a.m., he was returned to the stationhouse. § 87(2)(b) arrest was not noted in the command log (encl. 13B).

Summons § 87(2)(b)

As mentioned above, § 87(2)(b) was issued the aforementioned summons on the incident date, and released from the stationhouse. This summons was requested from the 120th Precinct on October 4, 2013, but the investigation did not receive it (encl. 17G).

Medical Treatment of Prisoner Report

The aforementioned report indicated that § 87(2)(b) complained of right knee pain (encl. 10E).

Arrest for Incident and Disposition

- Case number § 87(2)(b) remains open. The next scheduled court date is § 87(2)(b) in Richmond Criminal Court. § 87(2)(b) first court appearance for this case was on § 87(2)(b) at which time he was released on recognizance (encl. 14M-P).

Status of Civil Proceedings

- § 87(2)(b) filed a Notice of Claim with the City of New York on June 10, 2013, claiming false arrest and imprisonment; negligent and excessive detention; assault; battery; menacing; harassment; excessive force; police brutality; negligent hiring/training/retention, negligence; gross negligence; reckless disregard; abuse of process; municipal liability; violation of US and NY constitutional rights and civil rights; pain; suffering; loss of earnings, enjoyment of life and freedom; emotional distress; mental anguish; shame; humiliation; indignity; damage to reputation; incurred money costs and other damages; and seeking ten million dollars as redress (encl. 2I-K). On a September 5, 2014, an inquiry was sent to the Office of the New York City Comptroller regarding the status of any 50H hearing regarding § 87(2)(b)'s claim. Results remain pending, but will be included in the case file upon their receipt.

Civilian's Criminal History

- § 87(2)(b)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Civilian's CCRB History

- § 87(2)(b)
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject Officers' CCRB History

- Sgt. Fisher has been a member of the service for eight years and there are no substantiated CCRB allegations against him (encl. 1G).
- PO Vega has been a member of the service for five years and there are no substantiated CCRB allegations against him (encl. 1H).
- PO Picca has been a member of the service for three years and there are no substantiated CCRB allegations against him (encl. 1I).

Conclusion

Identification of Subject Officers

Many officers became involved in the struggle to handcuff § 87(2)(b) PO Picca acknowledged that he kicked § 87(2)(b) in the arm during the struggle. Allegation A is therefore pleaded against him. PO Vega matches § 87(2)(b) description of the officer that jumped on his leg and punched him in the back and arm once he was on the floor. PO Vega also acknowledged participating in the struggle with § 87(2)(b) and pepper spraying him, and PO Picca acknowledged that he kicked § 87(2)(b) in the leg during the struggle. Allegations A and B are pleaded against them accordingly. It is clear that some force was used against § 87(2)(b) during his apprehension, and he was injured as a result. However, the investigation could not determine who used what specific force against § 87(2)(b) to directly cause injury. Because § 87(2)(b) alleged that PO Vega punched him, a physical force allegation is pleaded against him, and an additional physical force allegation is pleaded against “Officers” of the 120th Precinct.

§ 87(2)(b) alleged that when he was brought to the 120th Precinct stationhouse following his medical treatment at § 87(2)(b) he begged to be returned to the hospital multiple times and he was told that he would miss his court appearance. Given that these requests seem to have been made to stationhouse personnel in general, and over an extended period of time during which said personnel would have shifted due to tour changes, the specific subject officers of this allegation could not be identified. Allegation F is therefore also pleaded against “Officers” of the 120th Precinct.

Investigative Findings and Recommendations

Allegations Not Pleaded

There are no stop allegations pleaded against PO Murphy or Sgt. Fisher because they observed § 87(2)(b) and § 87(2)(b) fighting, and upon their approach to investigate further, PO Murphy observed them both drinking from open containers. PO Murphy subsequently arrested both men for both of the aforementioned violations, and additional charges resulting from the incident.

Allegation A—Force: PO Ernan Vega used pepper spray against § 87(2)(b)

Allegation B—Force: PO Stephen Picca used physical force against § 87(2)(b)

Although § 87(2)(b) did not admit to resisting arrest, all six officers interviewed testified to his resistance, and further documented such in their memo books. In his complaint report against § 87(2)(b) and § 87(2)(b) PO Murphy reported that both men posed significant resistance as to require the assistance of additional officers, but § 87(2)(b) alone resisted so much that it took the joint effort of four officers to restrain him, take him to the floor, and securely handcuff him. The complaint report also indicated that § 87(2)(b) pushed PO Vega, and PO Vega corroborated this report. § 87(2)(b) testified that as the officers lowered him to the floor, he tried to position his leg so that it would hurt less upon hitting the floor, and used his arms to stabilize his body because he was off balance. § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

All officers interviewed except for PO Picca testified that upon the additional units’ arrival on the scene, Sgt. Fisher immediately issued them instructions to handcuff § 87(2)(b) and

§ 87(2)(b) Upon receiving these instructions, PO Vega approached § 87(2)(b) and informed him that he was going to be placed under arrest. § 87(2)(b) then pushed PO Vega, causing him to move back two or three feet. § 87(2)(b) then lifted and clenched both of his fists, and adopted a “fighting stance” toward PO Vega. § 87(2)(b) also made a provocative remark regarding the impending struggle. PO Vega then deployed his pepper spray in order to prevent § 87(2)(b) from injuring him or the other officers, and subsequently approached § 87(2)(b) to place his hands behind his back. After being pepper sprayed, § 87(2)(b) fell to the floor. However, § 87(2)(b) alleged that PO Vega jumped on his right leg, causing it to bend underneath him as he landed on the floor, and injuring it as a result. PO Vega denied punching or striking § 87(2)(b) on any part of his body at any point during the incident. No officer interviewed witnessed any officer jump on, kick or strike § 87(2)(b) leg at any point during the incident.

§ 87(2)(b) alleged that while he was on the floor, PO Vega and other officers punched him in the arm and back, but because of his position on the floor and the effect of the pepper spray on his eyes, it was difficult for § 87(2)(b) to see the officers and determine their specific actions. All officers interviewed denied punching § 87(2)(b) or witnessing any other officer do so. Although PO Picca did not hear Sgt. Fisher’s instructions to handcuff § 87(2)(b) and § 87(2)(b) upon his arrival on the scene, he saw PO Racioppi attempting to cuff § 87(2)(b) and went to assist him. At this time, PO Racioppi and § 87(2)(b) were engaged in a struggle, and both on the floor. § 87(2)(b) refused officers’ instructions to provide his arms to be cuffed. PO Picca kicked § 87(2)(b) once in the shoulder, although he could not remember on which arm. Almost immediately thereafter, § 87(2)(b) allowed the officers to cuff him. PO Picca, PO Racioppi and PO Perfetto, who all participated in handcuffing § 87(2)(b) detected pepper spray in the air, but did not witness any officer pepper spray § 87(2)(b) § 87(2)(g)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b)

§ 87(2)(b) medical records from the incident night indicated that he was intoxicated by alcohol. He admitted to drinking four to five cups of wine over a period of 30 to 45 minutes prior to the incident, and was observed drinking from an open container. When § 87(2)(b) was examined on the incident night, he was found to have a knee effusion and probable ligament injury. He was later found to have multiple ligament ruptures and bone contusions. § 87(2)(b) did not have any significant injury to anywhere else on his body.

Patrol Guide Procedure 203-11 mandates that officers may only use the minimum force necessary to overcome a suspect’s resistance and effect an arrest, and that non-lethal alternatives to physical force should be employed as appropriate (encl. 1A-B). Patrol Guide Procedure 212-95 authorizes officers to use pepper spray when they reasonably believe its use is necessary to protect themselves or others from the unlawful use of force, establish physical control of a subject resisting arrest, and effect said arrest. Officers should consider the use of pepper spray as a useful alternative to reduce potential injury caused by physical force (encl. 1C-F).

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

§ 87(2)(g)

[REDACTED]

Allegation E—Force: Sgt. Robert Fisher used pepper spray against § 87(2)(b)

§ 87(2)(b)

Sgt. Fisher testified that he used pepper spray against § 87(2)(b) because he resisted arrested by flailing and tightening his arms. As noted in the Attempts to Contact Civilians section, the investigation was unable to establish contact with § 87(2)(b) § 87(2)(g)

[REDACTED]

Allegation F—Abuse of Authority: Officers did not obtain medical treatment for

§ 87(2)(b)

§ 87(2)(b) said that when he was taken to the 120th Precinct stationhouse after being treated at § 87(2)(b) he begged to be returned to the hospital. He was told that he could not go to the hospital because he would miss his court date the following day. The next day, he did not go to court and cried to be returned to the hospital. At that point, he was told that if he went to the hospital, he would have to stay three or four additional days before appearing in court.

Office of Court Administration records indicate that § 87(2)(b) first appeared in court regarding this case on § 87(2)(b), at which point he was released on recognizance. Also on § 87(2)(b), he returned to § 87(2)(b) due to increasing pain and swelling in his knee, and was diagnosed with a tendon injury and knee effusion.

§ 87(2)(b) did not report requesting medical treatment from a specific officer, but rather making a general request to officers in the stationhouse to bring him to the hospital. The period during which he reported making such requests spanned over several precinct tours.

§ 87(2)(g)

[REDACTED]

Team: _____

Investigator: _____
Signature Print Date

Supervisor: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date

Reviewer: _____
Title/Signature Print Date